

PCT #6



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor : Yata, et al.
 App. No. : 09/700,988
 Filed : November 20, 2000
 Title : NON-AQUEOUS
 SECONDARY BATTERY
 AND ITS CONTROL
 METHOD
 Examiner : Unknown
 Group Art Unit : Unknown

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on

December 2, 2002

(Date)

Katsuhiro Arai, Reg. No. 43,315

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)

United States Patent and Trademark Office
 P.O. Box 2327
 Arlington, VA 22202

ATTN: Box DAC

Dear Sir:

RECEIVED

09 APR 2003

International Division

This is a petition to request withdrawal of the holding of abandonment of the above-identified application under 37 C.F.R. § 1.181(a).

The undersigned received the Notice of Abandonment mailed November 14, 2002 in the present application, which indicated that this application is considered as having become abandoned for failure to file a timely signed declaration. However, in response to the Notification of Missing Requirement mailed January 3, 2001, on January 31, 2001, the undersigned timely filed the Declaration and Power of Attorney (and additionally PCT Form PCT/IPEA/409) which was in fact received by the PTO on February 5, 2001 as shown in the attached copy of the stamped return postcard.

Since then, no response from the PTO had been received. The undersigned filed the Status Letter which was received by the PTO on May 21, 2002, and on July 18, 2002, the PTO mailed a Response to which a copy of the Notice of Missing Requirement was attached. In response to the Response from the PTO, on October 8, 2002, the undersigned re-filed all copies of the documents filed on January 31, 2001.

Although the undersigned has not yet received the stamped return postcard for the above re-filing, the original Declaration and Power of Attorney was received by the PTO on February 5, 2001, and there is no undue delay on the part of the undersigned. Thus, a petition under 37 C.F.R. § 1.181(a)

requesting withdrawal of the holding of abandonment is the appropriate course of action, and such petition does not require a fee (M.P.E.P. 711.03(a)).

The undersigned respectfully requests withdrawal of the holding of abandonment of the present application. Should fees be necessary for this petition, please charge them to our deposit Account No. 11-1410.

Enclosed in support of the submission are the following.

- (X) A copy of the Notification of Missing Requirements Under 35 U.S.C 37 mailed on January 3, 2001.
- (X) A copy of the Transmittal letter dated on January 31, 2001.
- (X) A copy of the Declaration signed by the inventors and Power of Attorney.
- (X) A copy of PCT/IPEA/409.
- (X) A copy of the return postcard stamped on February 5, 2001.
- (X) A copy of the Status Letter dated May 16, 2002.
- (X) A copy of the Response from the PTO mailed July 18, 2002.
- (X) A copy of the Transmittal letter dated October 8, 2002.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 2, 2002

By: 

Katsuhiro Arai
Registration No. 43,315
Agent of Record
Customer No. 20,995
(949) 760-0404